



IFW

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: Aug. 14, 2007 Signature: Deborah Clark
(Deborah Clark)

Docket No.: 5138 [66816(54716)]
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Deepa Eveleigh et al.

Application No.: 10/675,406

Confirmation No.: 7796

Filed: September 30, 2003

Art Unit: 1642

For: METHODS FOR PREDICTION AND
PROGNOSIS OF CANCER, AND
MONITORING CANCER THERAPY

Examiner: C. Joyce

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

| 08/16/2007 HDEMESS1 00000019 041105 10675406
| 01 FC:1806 180.00 DA

Dear Sir:

In accordance with 37 CFR 1.97, Applicant(s) hereby make of record the following additional documents. A PTO Form SB/08 and a full copy of each of the documents required under 37 CFR 1.98(a)(2) accompany this statement.

Applicant(s) have become aware of the following documents, cited in a Supplementary Partial European Search Report issued June 1, 2007, during the prosecution of European Patent Application No. 03781302.9 which corresponds to the above-referenced application, and in accordance with 37 CFR 1.97(c) and (e)(1) or (b)(3), hereby submit(s) these documents for the Examiner's consideration. These documents are cited on the enclosed PTO Form SB/08, and a copy of the Supplementary Partial European Search Report and of each document required under 37 CFR 1.98(a)(2) cited thereon are enclosed as well.

This statement is not to be interpreted as a representation that the cited documents are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any document herein be construed *per se* as a representation that such document is prior art. Moreover, Applicant(s) understand(s) the Examiner will make an independent evaluation of the cited documents.

This Information Disclosure Statement is filed after the mailing date of a Final Office Action or Notice of Allowance, whichever occurred first, but on or before payment of the Issue Fee (37 CFR 1.97(d)). Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered.

I hereby certify, pursuant to 37 CFR 1.97(e)(1), that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Furthermore, in accordance with 37 CFR 1.704(d), Applicant(s) note(s) that to our knowledge this communication was not received by any individual designated in 1.56(c) more than thirty days prior to the filing of this statement.

Please charge our Deposit Account No. 04-1105 in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our

Deposit Account No. 04-1105, under Order No. 66816(54716). A duplicate copy of this paper is enclosed.

Respectfully submitted,

Date: August 14, 2007

William F. Gray

William F. Gray, Esq.
Attorney for Applicant(s)
Reg. No. 31,018
Bayer Pharmaceuticals Corporation
400 Morgan Lane
West Haven, CT 06516-4175
Phone (203) 812-2712

By: 

Marina Heusch, Ph.D
Agent for Applicants
Registration No.: 47,647
EDWARDS ANGELL PALMER & DODGE LLP
P.O. Box 55874
Boston, MA 02205
Telephone: 203-975-7505
Facsimile: 203-975-7180

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/675,406-Conf. #7796
				Filing Date	September 30, 2003
				First Named Inventor	Deepa Eveleigh
				Art Unit	1642
				Examiner Name	C. Joyce
Sheet	1	of	1	Attorney Docket Number	5138 [66816(54716)]

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	US-5,486,456	01/23/1996	Xu et al	
	AB	US-5,830,703	11/03/1998	Kitamura et al	
	AC	US-6,238,875	05/29/2001	Altieri	
	AD	US-6,320,022	11/20/2001	Cutitta et al	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BA	WO 02/28999	04/11/2002	Gene Logic, Inc.		
	BB	AU 746502	02/09/1999	The Scripps Research Institute		
	BC	EP 1036845	09/20/2000	Affymetrix, Inc.		
	BD	FR 2821080	08/23/2002	Sanofi-Synthelabo		
	BE	WO 2004/065577	08/05/2004	Bristol-Myers Squibb Company		

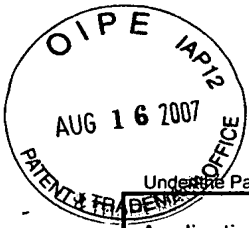
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

*EXAMINER: Initial if reference considered; whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
--------------------	--	-----------------	--



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/92 (04-07)
Approved for use through 09/30/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Application No. (if known): 10/675,406

Attorney Docket No.: 5138 [66816(54716)]

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on August 14, 2007
Date

Signature

Deborah Clark

Typed or printed name of person signing Certificate

Registration Number, if applicable

(617) 439-4444
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

IDS (Citation) by Applicant (9 References) (1 page)
Supplemental Information Disclosure Statement (3 pages)
Transmittal (1 page)
Charge \$180.00 to deposit account 04-1105



PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/675,406-Conf. #7796
	Filing Date	September 30, 2003
	First Named Inventor	Deepa Eveleigh
	Art Unit	1642
	Examiner Name	C. Joyce
Total Number of Pages in This Submission	Attorney Docket Number	5138 [66816(54716)]

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Return Receipt Postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="text"/> Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	BAYER PHARMACEUTICALS CORPORATION		
Signature			
Printed name	William F. Gray, Ph.D.		
Date	August 14, 2007	Reg. No.	31,018

By:

Marina Heusch, Ph.D. (Reg. No.: 47,647)
Attorney/Agent for the Applicants